

 Meadows Arts and Technology Elementary School	Student Free Speech Policy	
	Last Reviewed/Revised: 10/15/2018	Effective Date: 11/15/2010
Reference Number: SN-SFS- 10/15/2018	Original Author: MATES Board	Policy Status: Active

PURPOSE:

The Board of Directors (“Board”) recognizes the right of students to exercise freedom of speech and of the press as protected by federal and state law and stipulated by guidelines set forth in the education Code of the State of California.

SCOPE:

This policy applies to all MATES students and personnel participating in activities that fall within the guidelines specified in this policy.

GENERAL POLICY STATEMENT:

The Board and MATES personnel shall comply with all applicable provisions of the SB 438. Effective January 1, 2011, California charter schools must comply with long standing Education Code Sections 48907 which generally afford free speech and press rights to students, subject to reasonable time, place and manner restrictions.

POLICY DETAILS:

1. MATES will comply with applicable provisions of Section 48907 as described below:
 - 1.1. Free Speech Rights: Pupils of charter schools shall have the right to exercise freedom of speech and of the press, including the use of bulletin boards, distribution of printed material or petitions, the wearing of buttons, badges and other insignia, and the right of expression in official publications. Specific exceptions to these rights include speech which is:
 - 1.1.1. obscene, libelous or slanderous,
 - 1.1.2. a clear and present danger of the commission of unlawful acts or violation of school regulations,
 - 1.1.3. a substantial disruption to the orderly operation of the school; and
 - 1.2. Written Publications Code: Official School Publications shall be coordinated by defined school employees who will define reasonable provisions for the time, place, and manner for such activities. There shall be no prior restraint of material prepared for Official School Publications except insofar as it violates this policy.
 - 1.2.1. Official School Publications refers to material produced by pupils in the journalism, newspaper, yearbook, or writing classes and distributed to the student body either free or for a fee.
 - 1.3. Responsibility Remains With Journalism Advisers:
 - 1.3.1. Pupil editors of official school publications shall be responsible for assigning and editing the news, editorial and feature content of their publications subject to the limitations of this policy.
 - 1.3.2. It shall be the ultimate responsibility of journalism advisers (school employees) to supervise the production of the pupil staff, to maintain professional standards of English and journalism and to maintain the provisions of this policy.

- 1.4. This policy does not prohibit or prevent MATES from adopting otherwise valid rules and regulations related to oral communications by pupils on the premise of the school.
- 1.5. An employee shall not be disciplined or otherwise retaliated against solely for acting to protect a pupil engaged in the conduct authorized in this policy.

NON-COMPLIANCE TO POLICY:

Violations of this policy may result in the employee being subject to disciplinary action in accordance with Board disciplinary policy and administrative regulations.

GOVERNANCE:

The Executive Director or designee will own primary responsibility for monitoring adherence to the policy.

REVIEW CYCLE:

The MATES Board will be responsible for reviewing the policy every two years or more frequently as required.

REVISION HISTORY:

<u>Policy Version:</u>	<u>Effective Date:</u>	<u>Revision:</u>
SN-SFS-11152010	11/15/2010	Original Version
SN-SFS-11192012	11/19/2012	Reviewed in accordance with review every two years. No revisions.
SN-SFS-01172016	01/17/2016	Reviewed in accordance with review every two years. No revisions.
SN-SFS-10152018	10/15/2018	Reviewed in accordance with review every two years. No revisions.